

Doc Code:

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



AT

Jew

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/836,978
Filing Date	April 18, 2001
First Named Inventor	Werner Metz
Art Unit	2629
Examiner Name	Srilakshmi K. Kumar
Total Number of Pages in This Submission	Attorney Docket Number
	ITL.0489US (P10269)

ENCLOSURES *(Check all that apply)*

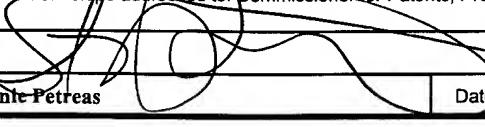
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	TROP, PRUNER & HU, P.C.		
Signature			
Printed name	Mark J. Rozman		
Date	3/9/07	Reg. No.	42,117

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the

Signature			
Typed or printed name	Stephanie Petreas	Date	3/9/07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Werner Metz § Group Art Unit: 2629
Serial No.: 09/836,978 §
Filed: April 18, 2001 § Examiner: Srilakshmi K. Kumar
For: LOCATING A POSITION ON § Atty. Dkt. No.: ITL.0489US (P10269)
A DISPLAY SCREEN §

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

Responsive to the Examiner's Answer mailed on January 11, 2007, provided herewith is a Reply Brief.

I. REPLY

With regard to the Examiner's response to Appellant's argument respecting claim 1, the Examiner contends that the primary reference Mumford teaches that "where the display is divided into n mutually exclusive regions, when the sensor is determined not to be in a specific region, values for that region are changed...." Examiner's Answer, p. 6. This misconstrues the true teaching of Mumford. Instead, Mumford clearly teaches that when it is determined that the position of a light pen is within one of n regions of a display, "the remaining n-1 original equal

3/9/07

Date of Deposit:
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Stephanie Petreas

portions to revert to any previous or current video image intended to be displayed therein.”

Mumford, 18:25-29.

Thus in Mumford its operation does not generate “a different sequence of characteristic values each corresponding to a unique sequence of primary colors *in each of said regions* [of a display]” until the sensor position is determined as recited in claim 1. Instead, as clearly described in Mumford its system reverts immediately back to any previous or current video image and thus does not generate a different sequence of primary colors in each region until the sensor position is fully resolved, i.e., “with respect to said regions” as recited in claim 1.

Because of this misconstruction of the primary reference by the Examiner, the rejection of the claims is improper and should be reversed, as the secondary reference, Wiebe, nowhere teaches or suggests this subject matter missing from Mumford.

II. CONCLUSION

For the reasons set forth herein, as well as set forth in the Appeal Brief, Appellant respectfully requests that the final rejection be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,

Date: 3/9/07



Mark J. Rozman
Registration No. 42,117
TROP, PRUNER & HU, P.C.
1616 S. Voss Road, Suite 750
Houston, TX 77057-2631
(512) 418-9944 [Phone]
(713) 468-8883 [Fax]
Customer No.: 21906